Command Victim Witness Assistance Coordinator (VWAC)

I M Marine
Installation VWLO

*Slides to be modified/altered to your area

VWAC:

- The VWAC - the tactical link – between the victim and the command
- As a general rule the VWAC should not be the *Uniform Victim Advocate*.

VWAC Responsibilities:

Vary depending on the relationship of a victim or witness to the VWAC's command.

Ensure that the all notifications under the VWAP have been made and all coordination (PMO, Legal, VWACs etc) has been completed.

VWAC Responsibilities:

Paragraph 6011, LEGADMINMAN

- Obtain and distribute VWAP materials;
- Provide VWAP training to the members of the command, at the discretion of the unit commander;
- Ensure that victims or witnesses have been advised of rights by providing DD Form 2701, if one has not already been provided;
- Assist the victim in obtaining necessary counseling;
- Maintain contact with all VWACs and other VWAP personnel involved in the victim's or witness' case; and,
- Assist the victim or witness as appropriate and necessary in the exercise of their rights.

VWAC Responsibilities:

<u>When the accused is a member of the VWAC's command</u>:

- Notify the victim of the commander's decisions concerning prosecution, the nature of charges, and the date charges are preferred;

- When necessary, solicit and discuss the victim's views regarding appropriate disposition of the charges against the accused, particularly during pretrial plea negotiations

Close coordination with Detailed Trial Counsel is required once charges are preferred.

VWAC Responsibilities:

Where VWAC's Command is the Convening Authority & after charges have been preferred, the VWAC shall:

- Ensure victims and witnesses have been provided the necessary notifications under VWAP (*Coordinating with PMO, legal, and VWACs of the victims' or witnesses' command*).
- Confirm that the trial counsel assigned to the case has obtained the victim's views concerning plea negotiations and has forwarded that to the convening authority.
- Ensure that the trial counsel has complied with the victim's request to be notified of the following* :
  - Date charges referred and nature of the charges
  - Acceptance of a PTA
  - Court-martial findings
  - Sentence
  - Convening Authority's Action on findings and sentence

*__Per the LEGADMINMAN__

VWAC Responsibilities:

If the accused is restrained pre-trial – notify the victim of changes in that status.

If the accused is placed in pre-trial confinement ensure that a DD2704 was completed by Trial Counsel.

Interaction with VWAP Personnel

- Law enforcement will notify the VWAC if either the accused or victim is a member of their command.
- If only the accused is a military member law enforcement will provide the name of the victim to the VWAC for the accused' unit.
- If only the victim is a military member law enforcement will provide the name of the victim to the VWAC for the victim's unit.

VWAP: *RESOURCES AND FORMS*

- Installation Victim Witness Liaison Officers (VWLO) – Your Contact INFO HERE
- http://www.defenselink.mil/vwac/dodprograms.html (DOD VWAP COUNCIL WEBSITE) – contains link to training presentations and forms
- http://www.ncvc.org/ncvc/Main.aspx (National Center for Victims of Crime)
- http://www.ojp.usdoj.gov/programs/victims.htm (DOJ Office for Victims of Crime)
- CMC – Major Dutch Schotemeyer (703) 614-4250; louis.schotemeyer@usmc.mil / Capt John Dunn john.s.dunn@usmc.mil
- CMC (PSL Corrections) (703) 614-1480

Questions?

Back Up Slides

VWAP References:

- MCO P5800.16A
- 42 USC § 10601 et seq.
- 18 USC §§ 1512 – 1514
- DOD INST 1030.2
- DOD INST 1342.24
- DOD DIR 1030.01
- SECNAVINST 5800.11B
- DD FORM 2701, 2702, 2703, 2704, 2705, 2706